

**APPENDIX EXHIBIT 6**

**SECOND INTERROGATORY RESPONSES OF INDIANA ELECTION DIVISION  
CO-DIRECTORS (EXCERPTS)**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

JUDICIAL WATCH, INC.,  
and TRUE THE VOTE,

*Plaintiffs,*

v.

J. BRADLEY KING, *et al.*

*Defendants.*

Case No. 1:12-cv-800-WTL-TAB

**DEFENDANTS TRENT DECKARD AND J. BRADLEY KING'S ANSWERS TO  
PLAINTIFFS' SECOND SET OF INTERROGATORIES**

Defendants Trent Deckard and J. Bradley King, Co-Directors of the Indiana Election Division, by counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure, respond to Plaintiffs' Second Set of Interrogatories, as follows:

**GENERAL STATEMENT**

By responding to these Interrogatories, Defendants do not waive their right to object to the use of the following responses at any time, on any ground, in this or any other proceeding. Further, Defendants have not completed preparation for trial. Thus, these responses are limited to the information known to Defendants at this time and do not constitute a waiver of Defendants' right to introduce additional evidence at trial. Defendants reserve the right to supplement or amend these responses in the event further information is obtained and to supplement or amend these responses based on information that may be obtained during the pendency of this case.

will be included in the supplemental response to Plaintiff's Requests For Production Nos. 6, 10 and 12.

- c. Even though the Consent Decree had expired, Defendants periodically reviewed voter registration levels for Indiana counties and were aware, even before January of 2013, of registered voters as compared to voting age population comparisons in the counties. Instead of focusing on a particular county, or a particular group of counties, defendants have had discussions internal and external to the agency about legislation and funding for additional voter list maintenance activities. IED has also continued to support counties, like Warrick, Madison, Warren, Elkhart, Brown, and Floyd Counties, for example, who determined to perform a county-wide mailing pursuant to IC 3-7-38.2 and as described in SOP VRG 58.2 (the latter being an attachment in response to Request for Production Nos. 6 and 12). Defendants have continued to adapt the Statewide Voter Registration System to enable counties to identify voters with address changes more quickly than even the statewide mailing is capable of and would again note that the Consent Decree expired in 2009. The SVRS generated monthly reports tracking Indiana counties' voter registration list maintenance actions of address confirmation mailings, NCOA information processing, NCOA address information updates, NCOA address confirmation notices, and designation of voter registrations as inactive for each Indiana county each month. These were reviewed and written violation notices were sent to a county if the Co-Directors determined a county was not in compliance with the National Voter Registration Act or the terms of the Consent Decree. Monthly reports and any correspondence will be included in the supplemental response to Plaintiff's Requests For Production Nos. 6, 10 and 12.

**INTERROGATORY NO. 3:** Subsequent to 2009, when you first become aware that the official voter registration lists of certain Indiana counties had more registered voters than the total voting age population of those counties, please list all steps you took to ensure Indiana county election officials were executing voter list maintenance tasks.

**RESPONSE NO. 3:**

Defendants object to this interrogatory for the reason it seeks information protected from disclosure by the deliberative process privilege, the attorney/client privilege, and attorney work product doctrine. Defendants object to this interrogatory because it seeks information which might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without

reasonable particularity. Further, Defendants object to this interrogatory for the reason that it seeks information for which inquiry would be unduly burdensome. Defendants specifically object to the underlying assumption that there is necessarily a correlation between total voting age population, the number of registered voters, and the execution of voter list maintenance task.

Subject to and without waiving the above objections, as indicated in response to Interrogatory No. 2 (c) defendants have had internal discussions about legislation and funding for additional voter list maintenance activities. The state also continued to support Warrick, Madison, Warren, Elkhart, Brown, and Floyd Counties, for example, who determined to perform a county-wide mailing pursuant to IC 3-7-38.2 and as described in SOP VRG 58.2 (the latter being an attachment in response to Request for Production Nos. 6 and 12).

**INTERROGATORY NO. 4:** Pursuant to Ind. Code § 3-7-12-27, how many circuit court clerks or board of registration members have filed affidavits of performance of voter list maintenance program tasks within the past year?

**RESPONSE NO. 4:**

Defendants object to this interrogatory because it seeks information which is neither relevant to the claims or defenses or the parties, nor is it reasonably calculated to lead to the discovery or admissible evidence. Specifically, the failure to file the affidavit has no bearing on whether or not the county has complied with the voter list maintenance requirements of IC 3-7-38.2. The statute was first added in 1987, when counties each maintained their own voter registration databases that the state could not access. Since the Statewide Voter Registration Database went live in 2006, the state now has multiple ways to monitor county activities. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity.

Subject to and without waiving the above objections, if “past year” means during 2012, then one. If “past year” means 365 days from the date of this answer, the answer is four.

**INTERROGATORY NO. 5:** What penalties are circuit court clerks or board of registration members subject to for either perjury by affidavit, or for failure to file the affidavit of performance of voter list maintenance program tasks pursuant to Ind. Code § 3-7-12-27?

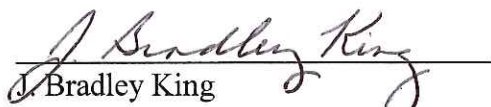
**RESPONSE NO. 5:**

**Defendants object to this question because it is directed to the wrong party. Defendants further object to this interrogatory because it calls for analysis and conclusions of law.**

I declare under penalty of perjury that the factual statements set forth in the foregoing responses are true and correct:



Trent Deckard  
Co-Director Indiana Election Division

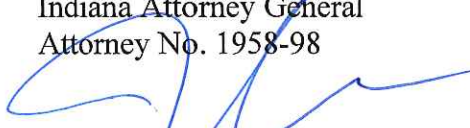


Bradley King  
Co-Director Indiana Election Division

Respectfully submitted,

GREGORY F. ZOELLER  
Indiana Attorney General  
Attorney No. 1958-98

By:



Jefferson S. Garn  
Deputy Attorney General  
Attorney No. 29921-49

**APPENDIX EXHIBIT 7**

**FRANCISCO FOTIA DEPOSITION TRANSCRIPT (EXCERPTS)**

**In The Matter Of:**

*Judicial Watch, Inc., and True The Vote -v-  
J. Bradley King, Trent Deckard and Connie Lawson*

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*Francisco Fotia  
May 28, 2013*

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*Midwest Reporting, Inc.  
1448 Lincolnway East  
South Bend, Indiana 46613  
574-288-4242  
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Original File fotia francisco.txt

**Min-U-Script® with Word Index**

1       most of the time it's a hyperlink I have to click  
2       on.

3       Q   Earlier, when you described your responsibility,  
4       you mentioned you were responsible for  
5       maintaining the voter rolls in an accurate  
6       condition in St. Joseph County, correct?

7       A   Yes.

8       Q   Does your responsibility extend to maintaining  
9       accurate voter rolls in other counties in  
10       Indiana?

11      A   I don't believe that's a responsibility. But  
12      we're on a statewide system, so we use each  
13      other's information and we notify each other. I  
14      mean, if we've taken somebody from their county,  
15      they get notified. We can't do that without  
16      notifying them.

17                So, I suppose the system makes us all  
18      responsible because we also make -- take great  
19      pains to make sure that if we see somebody's  
20      registered in another county and they're moving  
21      in, we take them. We don't just leave them there  
22      and process a new registration, which the system  
23      would allow. So, I suppose in that regard we do  
24      all maintain the statewide system.

25      Q   So, in your case, you mentioned that you use



1       the -- the factors you use to decide whether to  
2       do an update or a new registration, correct?

3       A   Yes.

4       Q   If another county were being very conservative  
5       about getting those matches, it's possible they  
6       could just enter a new registration without  
7       updating a registration of somebody that had  
8       moved out of St. Joseph's County and into theirs,  
9       correct?

10      A   I suppose it's possible.

11      Q   And you wouldn't get a hopper item if they're  
12      just processing a new registration, correct?

13      A   I don't believe so. I would -- I'm not familiar  
14      with the algorithm or whatever the system uses to  
15      get that. But, to my knowledge, I don't believe  
16      so.

17      Q   My point being, there's some affirmative step you  
18      have to take, a decision the county has to take,  
19      to notify another county of a possible move back  
20      and forth?

21      A   Yes. What we do is we look everybody up and then  
22      we'll update the actual record. We won't process  
23      it as a new one. We'll actually say, "This  
24      person in Elkhart County moved here, so we're  
25      gonna take their Elkhart County record and update

1 Q So, it would be safe to say you talk to the --

2 A Dale, yeah.

3 Q -- Republican staff more than the Democrat staff  
4 on the phone?

5 A Our office talks to the Republican staff more  
6 than the Democrat staff. Usually we just talk to  
7 Brad King.

8 Q Do you ever get conflicting advice from Brad King  
9 and Trent Deckard?

10 A Sometimes I get conflicting advice from Brad King  
11 because he's very good at telling me when Trent  
12 disagrees with him and will say, "Well, I say  
13 this. Trent says this. We've left that up to  
14 the county Election Division -- or County  
15 Election board to decide. So, just want to let  
16 you know we're not in agreement on a particular  
17 issue."

18 And, in fact, the publications they put out  
19 will say, you know, "This is Brad's answer. This  
20 is Trent's answer."

21 Q And what do you and Terry Coleman do in those  
22 cases?

23 A We bring it to the Election Board and ask them to  
24 make a decision.

25 Q Who's on the Election Board other than you and

1       incarcerated in other counties as well.

2       Q   How about federal incarcerations? Do they tell  
3       you about that, too?

4       A   Last week, I actually got the federal order  
5       remanding somebody to a federal prison.

6       Q   Who sent you that?

7       A   I don't know. I didn't get the envelope. I was  
8       just -- somebody else in the office had opened  
9       whatever envelope it came in, and I just got the  
10      document. So, I don't know where it came from.

11      Q   So, then, in addition to the hopper items that we  
12      already mentioned, the jail, the Secretary of  
13      State, the Election Division, will all send you  
14      paper items for processing as well?

15      A   Uh-huh.

16      Q   And then in addition to all of these state  
17      entities or county entities, you'll also get  
18      hopper items from 91 other counties concerning  
19      moves, transfers, for you guys to maintain your  
20      voter rolls accurately; is that right?

21      A   Yes. And the FSSA offices get voter registration  
22      applications and turn those in as well.

23      Q   So, it's 91 counties and about six state offices  
24      that I've counted, does that sound right, that  
25      send you voter roll registration maintenance

1 updates?

2 A Sure.

3 Q So, your ability to keep the voter rolls clean is  
4 largely a function of how well -- how good the  
5 input of information you're getting from these  
6 other offices, correct?

7 A It's a function of how often the voters notify  
8 the agencies when they move.

9 Q And then a function of how well the agencies and  
10 the counties notify you?

11 A I suppose.

12 Q So, in your two -- you've been there, in the  
13 election office, since 2011.

14 In that time, have you ever seen or have you  
15 ever been aware of the state sending St. Joseph  
16 County a notice letter concerning the number of  
17 voter registration removals the county's made?

18 A No.

19 Q Has the state ever sent a notice letter  
20 concerning the number of voter registration  
21 address transfers the county had made in a given  
22 month?

23 A No.

24 Q Has the state ever sent a notice letter informing  
25 the county that the number of registered voters

1       exceeded 90 percent of the total voting age  
2       population?

3       A   Not to my knowledge.

4       Q   Has the state ever sent a notice letter  
5       concerning your NCOA information processing and  
6       SVRS list management in any given month?

7       A   Not to my knowledge.

8       Q   Has the state ever sent St. Joseph County a  
9       letter specifically concerning the number of  
10      voter registrations they moved to inactive in any  
11      given month?

12      A   Not that I'm aware of.

13      Q   Has anyone in the state ever called you to tell  
14      you your list maintenance efforts have been  
15      inadequate?

16      A   Not that I'm aware of.

17      Q   Has anyone in the state ever asked you or anyone  
18      else in the office to file an affidavit about  
19      list maintenance?

20      A   No. In fact, I just found out a week ago that  
21      that existed. It's a VRG-24 form affidavit  
22      involving list maintenance, which was brought to  
23      my attention by my counterpart. And we both  
24      discussed it and weren't entirely sure what it  
25      was asking us to attest to. So, we haven't filed

1       one yet. But apparently we're supposed to do one  
2       every January.

3       Q   So, you just heard about that, huh?

4       A   Yes.

5       Q   Your predecessors didn't mention anything to you  
6       about it?

7       A   No. To be fair, though, one of our predecessors  
8       was arrested and the other one retired. So --

9       Q   And was this related to the petition of fraud  
10       scandal that happened?

11       A   The arrest was. The retirement wasn't.

12       Q   And that petition case, just very briefly, so  
13       obviously that was an unfortunate incident.

14               What could've been done to prevent it, in  
15       your opinion?

16                       MR. GARN: Objection; calls for  
17                       speculation. And objection;  
18                       irrelevant.

19       BY MR. FEDELI:

20       Q   You can answer if you know.

21       A   I was gonna ask why it was relevant as well.

22       So --

23       Q   So, is your testimony that you don't know?

24       A   My testimony is I'm not gonna answer that  
25       question. Do we want to discuss his objections?

1 MR. FEDELI: Counsel, would  
2 you --

3 MR. HERBSTER: You can answer his  
4 questions. He hasn't asked for any  
5 privileged information. We just put  
6 objections on the record that we  
7 object to the question.

8 So, I mean, you can object to the  
9 best of your -- you can answer to the  
10 best of your ability.

11 A Okay. Can you repeat the question then?

12 BY MR. FEDELI:

13 Q What could've been done to prevent the petition  
14 of fraud better in the future?

15 A Hiring people who are honest.

16 Q And anything relating to the maintenance of  
17 accurate voter rolls, would that have helped?

18 A The petition case had to do with people forging  
19 people's signatures. I don't know that that has  
20 anything to do with whether or not there were  
21 inflated rolls.

22 Q Do you ever interact with citizens of St. Joseph  
23 County concerning election administration, list  
24 maintenance, and the like?

25 A We're a public office, and we have a very large

1 counter that people walk up to all the time and  
2 ask questions.

3 Q So, you have personally interacted?

4 A Yes.

5 Q Anyone ever express concerns to you about the  
6 accuracy of the voter list, voter registration  
7 list, in St. Joseph County?

8 A As far as just members of the public?

9 Q Yeah.

10 A Yes.

11 Q What did they say?

12 A People, especially poll workers who see a lot of  
13 deceased people on the rolls -- and the problem  
14 with that is when -- back 40 years ago when  
15 people registered to vote, we didn't ask for  
16 Social Security numbers. We didn't ask for  
17 birthdates. We just asked, you know, what year  
18 were you born, are you over 21, or are you over  
19 18 when that law changed. And, so, when people  
20 die, we have no unique identifier for them.

21 So, a lot of times the birthday will be  
22 wrong in the system because they were just given  
23 a generic 1-1 of whatever year they said they  
24 were born in because we didn't know. We won't  
25 have a Social or sometimes women, older women,



1 understand my question?

2 A I don't.

3 Q Okay. So, in terms of the amount of work it  
4 takes you guys to maintain accurate voter rolls,  
5 does it take -- does it take more work if the  
6 voter rolls are very populated with the names --  
7 you know, have a lot of inaccurate names on them?

8 (Attorney Jamie Woods re-joined  
9 the deposition at this time.)

10 A I guess that would depend on the function we were  
11 doing. We deal with every -- every voter on an  
12 individual basis. So, if --

13 BY MR. FEDELI:

14 Q Let me rephrase the question.

15 A If, you know, the person's registered in three  
16 different spots, but -- we would just be able to  
17 merge those. I don't know that it takes that  
18 much extra work.

19 Q So, if nobody had done any maintenance on the  
20 list in, you know, five years and you came in and  
21 your job was to clean it all up, that would be  
22 more work than if everybody had been maintaining  
23 it for five years, correct?

24 A I suppose. But I guess I want some clarification  
25 on what you mean by maintenance because I think

1       you're lumping a lot of -- like every function  
2       our office does as maintenance.

3               So, if the implication is that if for  
4       five years everybody registered every  
5       registration as a new registration and never  
6       looked to see if they were registered anywhere  
7       else, then they wouldn't be doing their job. So,  
8       I think that's different than the type of  
9       maintenance that would be triggered from doing,  
10      say, a mailing.

11   Q   Okay. So, when I ask, I'm asking about the  
12       removal of deceased people --

13   A   Uh-huh.

14   Q   -- and the removal of people who have moved out  
15       of the county in a process by whatever method  
16       that is available to you.

17               So, just limiting it to those, if nobody had  
18       done any maintenance on the county voter rolls in  
19       five years, that would be creating more work for  
20       whoever needed to come in and then perform that  
21       maintenance, correct?

22   A   I suppose. I don't know that it would -- I mean,  
23       if there's, you know, 10,000 people we have to  
24       cancel now, then --

25   Q   That would be more work?

1     A   It would be the same amount of work done at a  
2       different time.

3                     MR. FEDELI:   All right.   I think  
4                     I'd like to end my Direct at that  
5                     point and turn it over to you.   But  
6                     I'll likely do some Redirect after  
7                     you're done.

8                     MR. GARN:    Do you want a break?

9                     THE WITNESS:  I'm good.   Thank  
10                    you.

11                    MR. GARN:    I'll keep this short.

12                    CROSS-EXAMINATION

13   BY MR. GARN:

14   Q   Again, my name's Jeff Garn.   I'm from the Office  
15       of the Attorney General on behalf of the Election  
16       Division.

17       You mentioned some of your duties, including  
18       registration.   Can you just expand on that a  
19       little bit?

20       What personally do you do with registration  
21       of voters?

22   A   I -- I also take -- and I apologize.   I should've  
23       mentioned this earlier.   I also take the  
24       incomplete registrations.   So, if a person  
25       registers to vote on a paper, or handwritten one,

**APPENDIX EXHIBIT 8**

**SARAH REDMAN DEPOSITION TRANSCRIPT (EXCERPTS)**

**In The Matter Of:**  
*Judicial Watch, Inc., et al. v.*  
*J. Bradley King, et al.*

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*Sarah Redman*  
*May 20, 2013*

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DEPOSITION OF SARAH REDMAN  
TAKEN ON MAY 20, 2013

19

1           because their name might be Junior or Senior. So,  
2           with that, we would know the date of birth, it's  
3           very important. If not, we check with our local  
4           department, because a lot of times you get the  
5           stuff from the State. Not everybody passes away  
6           in Warrick County. We check with our local Health  
7           Department and try to find some more guaranteed  
8           information.

9           Q So based on the confidence factor, you might, in  
10          other words, spend some time researching?

11          A Absolutely, yes.

12          Q Now, is there a hard and fast rule for various  
13          confidence factors that either the State sets or  
14          is it something that you set by policy?

15          A By policy in our office. I'm not comfortable just  
16          canceling somebody if we're not certain --

17          Q Right.

18          A -- because, of course, that's going to cause some  
19          problems.

20          Q Right.

21          A So that's why we started taking a more aggressive  
22          approach to finding out for sure.

23          Q Okay. And when you say "certain," would you mean  
24          confidence factor of 100 percent?

25          A No. No, not 100 percent. I think about 75. It

1 Q -- word that the 65 percent match turned up,  
2 somebody's still registered in Warrick, it would  
3 be their decision to send it to your hopper?

4 A We had three this morning. Yes.

5 Q Come from other counties?

6 A Uh-huh, transfers.

7 Q Is that a typical day?

8 A Yeah, some days. Some days not.

9 Q And then -- but then, again, the other counties,  
10 they would make the judgment of 65 percent,  
11 50 percent confidence factor, 90 percent, what  
12 have you, before notifying you of a potential  
13 match; is that right?

14 A I do believe so.

15 Q It's really pretty much up to each individual  
16 county to use their judgment?

17 A Yes.

18 Q Let's flip ahead to the next section of this  
19 excerpt, BMV Registrations in SVRS. Then I have  
20 one except from this chapter on the next page, and  
21 just I'd like to call your attention to the  
22 second -- or Part 4, Number 3, "General Guidance  
23 on Processing BMV Hopper Items."

24 A Uh-huh.

25 Q And it says, "Details regarding the formula that

1 lot. It's easier. Information tends to match a  
2 little better. The difficulties really lie in the  
3 new registrations and name changes and so forth.

4 (Exhibit 4 was marked for identification.)

5 Q Exhibit 4, this is the Indiana Voter Registration  
6 Guidebook, excerpts. Ms. Redman, have you seen  
7 this document before?

8 A Yes, I have.

9 Q Okay. If you could, turn to -- this is an  
10 excerpt, again, so Page 21, which is just a few  
11 pages in, Section J, "Updates to an Existing Voter  
12 Registration Record." A couple of paragraphs down  
13 starts with, "The Co-Directors have encountered a  
14 disagreement regarding whether what action, if  
15 any, must be taken by the county," et cetera.  
16 Have you encountered this issue before?

17 A A known insufficient address, yes.

18 Q Okay.

19 A Uh-huh.

20 Q And are you familiar with the Co-Directors'  
21 disagreements on this issue?

22 A A little bit, yeah.

23 Q Which Co-Director do you agree with on this?

24 A Do you mind if I read these again, so I --

25 Q Please. Yeah.



DEPOSITION OF SARAH REDMAN  
TAKEN ON MAY 20, 2013

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1 A Okay. Thank you. Sorry. I'm re-reading  
2 Mr. Deckard's again.

3 MR. GARN: Just while we're waiting, I'm  
4 just going to briefly object to the extent that  
5 you're calling for a legal conclusion.

6 A Okay.

7 Q So if it was your policy and it is your policy to  
8 set this for the county, which advice would you  
9 follow?

10 A I guess I would lean towards -- it's kind of  
11 overwhelming reading their interpretations of it.  
12 But if somebody is registering for a new  
13 registration and we immediately -- we input them  
14 in the system, we send an acknowledgment card  
15 directly to the address that they say that they  
16 live at and it comes back as a bad address, and  
17 then my policy is to then send out the NCOA  
18 notice.

19 Q So would you say that's more in line with --

20 A I think that would be more in line with  
21 Mr. King's, I think, so --

22 Q Okay.

23 A Yeah, if I had to pick one.

24 Q Flip to the next page for me, "Sample Jury  
25 Questionnaire." Have you ever seen this before?

DEPOSITION OF SARAH REDMAN  
TAKEN ON MAY 20, 2013

66

1 address and they give their previous address,  
2 which was in Warrick, and then they ask do you  
3 want us to take you off the voter list, and they  
4 say no, that information will still go into SVRS?

5 A I do not know. That's not my area.

6 Q Okay. How about the Indiana Department of  
7 Revenue, do they ever put information in the  
8 hopper?

9 A Not to my -- not to my knowledge.

10 Q You never had any dealings with them?

11 A No, not on this -- in regards to this I have not.

12 Q How about the Warrick County revenue office,  
13 taxation, anything --

14 A No.

15 Q -- from them? How about the United States  
16 Attorney for the Southern District of Indiana?

17 A Not to my knowledge.

18 Q You never had any dealings with them with your  
19 office?

20 A For -- regarding elections?

21 Q Regarding convictions for felonies.

22 A Not -- I have not.

23 Q So recapping, so the Department of Health, the  
24 Department of Corrections, the Election Division,  
25 the Bureau of Motor Vehicles, and the other 91

DEPOSITION OF SARAH REDMAN  
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1           counties in Indiana, all of these entities may  
2           send you hopper items; is that right?

3           A   Yes.

4           Q   And to a pretty good extent, it would seem, you're  
5           reliant on them sending you hopper items to keep  
6           your voter rolls clean?

7           A   Yes.

8           Q   So, in Warrick County, you're the final authority  
9           on whether to remove a voter, correct?

10          A   Technically.

11          Q   And it also seems that you're, kind of, the last  
12          link in a chain of people who need to all do their  
13          jobs in order to remove voters from the rolls;  
14          would that be fair to say?

15          A   I don't know that that would be fair to say, that  
16          I'm the last link in the chain, but ultimately, I  
17          have to take responsibility, yes.

18          Q   You're one link in the chain?

19          A   Yes.

20          Q   Certainly there's many --

21          A   There's many departments that need to work  
22          together.

23          Q   Many entities, okay.  So if they're not all  
24          working together and not all doing their jobs,  
25          it's pretty hard for you to do your job; is that

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TAKEN ON MAY 20, 2013

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1 right?

2 A Uh-huh, yes.

3 MR. FEDELI: Counsel, do you want to take  
4 a quick break?

5 MR. LONG: Sure.

6 MR. FEDELI: Off the record.

7 (A brief recess was taken.)

8 BY MR. FEDELI

9 Q I want to talk a little bit about your  
10 interactions with the State of Indiana concerning  
11 list maintenance in your county. Has the State  
12 ever asked you to submit a report concerning, you  
13 know, execution of list maintenance on your voter  
14 rolls?

15 A What do you mean "report"?

16 Q Any kind of a plan or document submitted to them  
17 concerning your efforts to maintain voter roll.

18 A Well, there was a lot of verbal back and forth and  
19 a lot of interest in how my process went and  
20 quite -- I mean, we spent a lot of time talking on  
21 the phone.

22 Q When was this?

23 A I basically asked them to hold my hand as I got  
24 through it. This was last year --

25 Q Okay.

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TAKEN ON MAY 20, 2013

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1 Q Yeah. Right. So, this is --

2 A And we've had reminders, E-mails.

3 Q Okay. Now, were most of these communications or  
4 were all of them -- were they sent out to all of  
5 the clerks in the State or were they -- any  
6 specifically sent to you?

7 A I would not know who. They were addressed to  
8 clerks, so I would assume that they were to all  
9 clerks but...

10 Q So you never got a phone call from the State that  
11 was specifically to you saying, Ms. Redman, let's  
12 talk about your voter list maintenance, anything  
13 like that?

14 A No, I did talk to the -- and I don't remember  
15 which members of the Election Division. I've  
16 talked to them about them at conferences about  
17 just my different options. Because since I took  
18 office the first year in 2009, it really wasn't on  
19 my radar.

20 Q Okay.

21 A I was learning a lot that year. And in 2010, when  
22 I began to get a good feel for the elections and  
23 processes is when we started asking a lot of  
24 questions about it.

25 Q So these communications happened during

DEPOSITION OF SARAH REDMAN  
TAKEN ON MAY 20, 2013

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1           couldn't understand how that could be.

2           Q   Okay.  So it seems like most of the  
3               communications -- tell me if I'm wrong -- was  
4               initiated by you on this subject with the State.  
5               Would that be fair to say?

6           A   Not initially.  Initially it was from memos that I  
7               received that even gave me any inclination that  
8               that was, you know, one of my duties, because, as  
9               I said, before I -- you know, you're learning as  
10              you come in.  I didn't come in from the office, I  
11              didn't work there prior, so everything was new to  
12              me.  So, as I saw the memos and the information  
13              that they put out through the State on it, that's  
14              when I began to ask a lot more questions.

15          Q   Okay.  And these were, as you mentioned, memos  
16               that were addressed to, you know, Circuit Court  
17               Clerks, various counties, State of Indiana, as  
18               opposed to, Ms. Redman, that kind of thing?

19          A   Yes.  I don't -- I don't recall.  I --

20          Q   You don't recall a letter?

21          A   I don't recall if there was one specifically to me  
22               or not.

23          Q   You don't recall a letter to you, specifically, to  
24               you, Dear Ms. Redman, we need to talk about  
25               Warrick County's voter registration rolls?

DEPOSITION OF SARAH REDMAN  
TAKEN ON MAY 20, 2013

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1 A I don't recall that.

2 Q Any phone call along those lines?

3 A Well, yeah, there was discussions about that, what  
4 I needed to do to make sure that I completed the  
5 voter list maintenance.

6 Q So when was the first phone call like that you got  
7 from the State in your four years?

8 A Honestly, I -- it's been about -- when I was  
9 talking to them at conferences, they would follow  
10 up with me and call me, so I would say  
11 December 2011 --

12 Q Okay.

13 A -- would probably be the first initiated phone  
14 calls.

15 Q Something along the lines of let's talk about  
16 voter list maintenance?

17 A Yeah.

18 Q Okay.

19 A It's very difficult to remember these timelines.

20 Q Understood.

21 A Okay.

22 MR. FEDELI: I would like to reserve some  
23 chance for questioning after you're done, but  
24 pending that, you can go ahead and start, if you'd  
25 like.

1 Q As far as earlier, you were asked about how it  
2 looks like there's a conflict between the  
3 Co-Directors. Do you think that's helpful to have  
4 the two views?

5 A No.

6 Q No? You don't?

7 A No. I hate that. I do. There's been several  
8 things I've gone to -- I know there's a Republican  
9 side and there's a Democrat side, whatever. I  
10 just want the same answer. That's my opinion on  
11 that.

12 Q Okay.

13 A I think it should all be nice and black and white  
14 there. But again, I know it's the real world as  
15 well. Everybody has got opinions about how things  
16 should be.

17 Q And why do you want it in black and white?

18 A So that I know exactly how I'm supposed to handle  
19 something and it's not left to interpret, which  
20 much the law in our society is up to  
21 interpretation.

22 Q You were asked also about the new bill. Do you  
23 think -- and you mentioned the statewide mailing,  
24 that you were kind of not happy to hear about  
25 that. And why was that again?



**APPENDIX EXHIBIT 9**

**TERRENCE COLEMAN DEPOSITION TRANSCRIPT (EXCERPTS)**

**In The Matter Of:**

*Judicial Watch, Inc., and True The Vote -v-  
J. Bradley King, Trent Deckard and Connie Lawson*

---

*Terrence Coleman*

*May 28, 2013*

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*Midwest Reporting, Inc.*

*1448 Lincolnway East*

*South Bend, Indiana 46613*

*574-288-4242*

*reporters@midwestreporting.net*

Original File coleman terrence.txt

**Min-U-Script® with Word Index**

1       about working with colleges to keep track of  
2       registrants who move out of state or out of  
3       county following completion of their college  
4       enrollment?

5       A   No.   I don't recall anyone talking to me about  
6       that.

7       Q   So, you mentioned when you found out St. Joseph  
8       County was over 90 percent of -- you know, it had  
9       a relatively high voter registration percentage,  
10      this was something that you found out on your own  
11      or you heard about or what was the exact  
12      circumstances?

13      A   Well, I found out on my own.   I put together a  
14      spreadsheet of the 18 largest counties in  
15      Indiana.   And, you know, I have -- I don't have  
16      it with me, but I have a spreadsheet that  
17      shows -- you know, I used what I thought were the  
18      most current population figures for the age group  
19      18 and over and got all the contemporary  
20      registration figures for whatever the population  
21      figures were.

22               And there's -- there's only -- I mean, we  
23      weren't alone.   And there was lots of counties  
24      that were --

25      Q   Who did you tell about this?

1 A Anybody that would -- anybody that would listen.

2 Q Did you talk to Frank about it?

3 A Yes.

4 Q And what did -- what was the nature of that  
5 conversation?

6 A Oh, I don't know. I mean, I don't remember a  
7 specific conversation. I mean, we talk  
8 frequently. I mean, I just -- I think I've --  
9 I've just -- with anybody that -- I would share  
10 this with anybody who would want to hear about  
11 it.

12 Q Did you tell the state?

13 A Well, I did when I -- you know, I talked to  
14 Leslie Barnes about, you know, the amount of  
15 voters that we had. I mentioned it to Michelle  
16 Brzycki when we were down there in Indianapolis.

17 Q This was in the context of the conversations you  
18 told me about --

19 A Correct.

20 Q -- earlier?

21 A Correct. I mean, forgive me. But I didn't -- I  
22 didn't think it was any secret. I didn't think I  
23 was the -- the sole possessor of this knowledge.  
24 I --

25 Q Nobody from the state ever contacted you first

1       about, you know, "Hey, your county has a lot of  
2       people registered, perhaps more than it should."?

3       A   No one's ever said that to me.

4       Q   And no one ever called you or sent you a letter  
5       concerning the way you're processing out-of-state  
6       transfers or deaths?

7                       MR. WOODS:   Can we clarify?   No  
8                       one from the State of Indiana?

9                       MR. FEDELI:   State Election  
10                      Division.

11      A   Not to my knowledge.

12      BY MR. FEDELI:

13      Q   And since you've been with the division, no one  
14      from the state has ever called you to ask how  
15      your list maintenance procedures were going?

16      A   No, not to my knowledge.   No one's done that.

17      Q   Now, we talked about transfers that are based on  
18      processing by other counties.   In other words,  
19      when they get a new voter registration, you know,  
20      they can decide whether to send you a transfer,  
21      in essence, based on potential matches that SVRS  
22      finds.

23                      My understanding is that the county official  
24      who's processing the new registration has to look  
25      at the data, determine if there's a match, and

1 registered where they're supposed to be and are  
2 they voting in the proper election?

3 Q And that would affect whether they're voting for  
4 the proper candidates?

5 A Correct. I mean, you know -- I mean, if you have  
6 a ton of folks not in the right district, you  
7 have a ton of folks who could have influence on  
8 an election they're not supposed to have  
9 influence on.

10 Q Do you ever interact with, you know, citizens of  
11 St. Joseph County about voter registration and  
12 voter list maintenance issues?

13 A Probably not as much -- no. I mean, not a lot.  
14 The common citizen doesn't really -- isn't aware  
15 of all the -- all the stuff we've been talking  
16 about today.

17 Q Anyone ever express any concern to you about, you  
18 know, the number of dead people on the rolls,  
19 that kind of thing?

20 A You know, I've had some people -- like I  
21 described to you earlier, I had some -- some  
22 citizens on the phone who were, you know, getting  
23 mail for folks that hadn't lived at their house  
24 in a long, long time. So, that counts. I mean,  
25 they were -- they were pretty irate and concerned

1       about how it was that these folks were still  
2       registered to vote at their address.

3       Q   Why were they concerned, if they explained to  
4       you?

5       A   Well, they were concerned because they hadn't  
6       lived there in whatever it was; 15, 16 years.  
7       And they said, "Well, gee --" their feeling was  
8       it was wide open for some kind of fraud.

9               And that's another thing we didn't touch on  
10       is -- I mean, we all know this because we're all  
11       involved in some degree to politics, is politics  
12       is perception. And, you know, being one who has  
13       come into a difficult situation in an office  
14       that's been tarnished, that's been out in the  
15       public, how we're perceived is important.

16              So, we need -- we need to be efficient so  
17       that we will be perceived as being trustworthy,  
18       that we have integrity, that we're doing our  
19       jobs, that we're doing our job. A public's not  
20       gonna understand -- a public's not gonna  
21       understand why we have 50,000 extra voters on our  
22       rolls. They're not gonna understand that. Alls  
23       they're gonna know is, gee, aren't you doing your  
24       job?

25              So, I think it's equally important -- you

1 know, you might call it superficial. But, you  
2 know, it's still important. I mean, we're in the  
3 business of government and -- and, you know, I  
4 can say this because I've been involved in  
5 government, is one of its shortcomings is  
6 maintaining the public's trust.

7 Well, let's -- we want to do that. We want  
8 to be able to say to the public, "We got 150 --"  
9 you know, whatever the figure is. "We got  
10 150,000 registered voters in St. Joe County, and  
11 that number's pretty darn accurate," as opposed  
12 to today, "How many voters you got?"

13 "Well, we got 200,000."

14 "How many adult population folks do you  
15 have?"

16 "200,000."

17 Q So, it's a way of letting people know that you're  
18 actually keeping track of these elections?

19 A Yeah, and we're doing -- and that there -- that  
20 there is integrity and that there is fairness and  
21 there's accuracy in -- in -- in the election  
22 process. And if you don't -- if you don't have  
23 that, then people's trust is gonna be diminished.

24 Q You've put a lot of effort into the dead voter  
25 removal process in the past six months or so,



1     A   If I had a hundred thousand dollars, I would've.  
2        I would've been encouraged to do it. We made  
3        every effort to get our hands around the issue.  
4        I -- I -- as I told you, I spoke with Leslie  
5        Barnes on the phone about -- not only to get a  
6        complete understanding of what was required, this  
7        was prior to the July meeting, but also not  
8        any -- not any help on how to get a hundred  
9        thousand dollars.

10           And we asked specifically about would our  
11        county have the ability to get the list from the  
12        post office, which seemed to be -- at least my  
13        understanding at that moment, seemed to be a more  
14        efficient way of going about undertaking the  
15        process by which to inactivate voters.

16           You know, I must say this. And I know you  
17        didn't ask. But it was very obvious to me during  
18        the presentation of the voter list maintenance  
19        program at that July conference that most of the  
20        folks in the room had no idea this was the way to  
21        do it. And it was very clear to me that there  
22        was not a universal understanding of how to go  
23        about that.

24           There were people in the room who believe  
25        that if you hadn't voted in two election cycles

1       that that automatically was reason to cancel you  
2       from voting.

3       Q   Did they -- did anyone disabuse -- did anyone  
4       from the state disabuse those people of that  
5       notion that --

6       A   I'm not familiar with that.   Sorry.

7       Q   Sorry.   Did anyone make it clear that that was  
8       not allowed?

9       A   Oh, yeah.   They made it clear.   Well, actually,  
10       let me -- let me -- let me pull back and say they  
11       made an effort.   Now, how clear they were, I -- I  
12       don't know.

13       Q   I'm sorry.   Just so we're clear on who we're  
14       talking about, so who was in attendance at this  
15       meeting?

16       A   Clerks and voter registration people from all  
17       across the State of Indiana.

18       Q   So --

19       A   And they -- when this -- this was the liveliest  
20       discussion of the whole conference, of the -- of  
21       the two -- of the two-day conference that we were  
22       there.   You know, it was just one of those things  
23       that you just did it and all of sudden the room  
24       came alive.

25               And it was obvious to me that not everybody

1 A We have different hoppers.

2 Q How many hoppers do you have?

3 A Well, you have the -- (Cell phone interruption.)

4 I just want to make sure it's not a family  
5 emergency.

6 Q Sure.

7 A Nope. The different hoppers. Okay. DOC hopper,  
8 DOH hopper, BMV hopper, online registration  
9 hopper, OVR. There's got to be more. Transfer  
10 hopper. Five? You gotta help.

11 MR. WOODS: It's your deposition.

12 A That's all I can think of right now.

13 BY MR. FEDELI:

14 Q So, the DOC, the DOH, and the transfer hopper,  
15 those mostly involve items for your attention,  
16 voters that need to be removed, correct?

17 A Yes.

18 Q And the BMV and the online registration, those  
19 mostly involve voters that need to be added?

20 A Correct.

21 Q Of all those government entities we talked about,  
22 Election Division, county jails, you know,  
23 Department of Corrections, Department of Health,  
24 and it seems like you're fairly reliant on other  
25 entities and other counties letting you know when

1       you need to remove registrations on a daily basis  
2       through your hopper, in other words, if they're  
3       not entering that information, sending it to  
4       Quest, doing what have you, in most cases you  
5       won't get notified of that; is that right?

6       A   I think that is a fair assessment.

7                       MR. FEDELI:   I think I'm done.

8                       Do you have any other questions?

9                       MR. GARN:    No.

10                      MR. WOODS:   We will review and  
11                      sign.

12                      (Deposition concluded and  
13                      witness excused at 3:55 p.m.)

14                      \* \* \*

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**APPENDIX EXHIBIT 10**

**FIRST INTERROGATORY RESPONSES OF INDIANA ELECTION DIVISION  
CO-DIRECTORS (EXCERPTS)**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

JUDICIAL WATCH, INC.,  
and TRUE THE VOTE,

*Plaintiffs,*

v.

J. BRADLEY KING, *et al.*

*Defendants.*

Case No. 1:12-cv-800-WTL-TAB

**DEFENDANTS TRENT DECKARD AND J. BRADLEY KING'S ANSWERS TO  
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Defendants Trent Deckard and J. Bradley King, Co-Directors of the Indiana Election Division, by counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure, respond to Plaintiffs' First Set of Interrogatories, as follows:

**GENERAL STATEMENT**

By responding to these Interrogatories, Defendants do not waive their right to object to the use of the following responses at any time, on any ground, in this or any other proceeding. Further, Defendants have not completed preparation for trial. Thus, these responses are limited to the information known to Defendants at this time and do not constitute a waiver of Defendants' right to introduce additional evidence at trial. Defendants reserve the right to supplement or amend these responses in the event further information is obtained and to supplement or amend these responses based on information that may be obtained during the pendency of this case.

county voter registration official from various sources (the family of a voter who has moved away or information from a College or University, for example).

Indiana registration forms provide a space where an individual can provide their prior address and the forms contain the following statement to be signed by the registration applicant: "I authorize my voter registration at any other address to be cancelled."

In addition, see answer to Interrogatory No. 3 which is incorporated herein by reference in response to his Interrogatory.

**INTERROGATORY NO. 5:** Describe all efforts you have made to obtain the computerized statewide voter registration lists of other U.S. states, including but not limited to the states of Ohio, Illinois, Kentucky, and Michigan, for the purposes of updating the Indiana computerized statewide voter registration to remove registrations of individuals who have moved out-of-state, and identify all states with which you have made such collaborative efforts.

**RESPONSE NO. 5:**

Defendants object to this interrogatory for the reason it seeks information protected from disclosure by the deliberative process privilege, the attorney/client privilege, and attorney work product doctrine. Defendants object to this interrogatory because it seeks information which might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity. Further, Defendants object to this interrogatory for the reason that it seeks information for which inquiry would be unduly burdensome.

Subject to and without waiving the objection, Defendants state that the Indiana Election Division made inquiries to the States of Florida, Michigan, Ohio, Illinois, Kentucky and Kansas by written correspondence. Copies of the signed letters to Florida and Michigan are attached. The Indiana Election Division has not been able to locate signed copies of the other correspondence.

In addition, Indiana Election Division staff participated in telephone calls with election officials in other states regarding matching Indiana voter registration data with the voter registration data of other states.

At this time, the Indiana Election Division is considering both technical and legal issues involved in providing voter registration information to other states for the purpose of identifying and removing registrations of individuals who have moved out of the State of Indiana.

**INTERROGATORY NO. 6:** Describe all efforts you have made to obtain databases maintained by the federal government for the purposes of removing ineligible voters, including but not limited to the U.S. Department of Homeland Security's Systematic Alien Verification for Entitlements ("SAVE") database and the U.S. Social Security Administration's Social Security Death Index ("SSDI") database for the purpose of conducting a program for removing ineligible voters from the official lists of eligible voters.

**RESPONSE NO. 6:**

Defendants object to this interrogatory for the reason it seeks information protected from disclosure by the deliberative process privilege, the attorney/client privilege, and attorney work product doctrine. Defendants object to this interrogatory because it seeks information which might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants object to this interrogatory because it seeks information which is neither relevant to the claims or defenses or the parties, nor is it reasonably calculated to lead to the discovery or admissible evidence. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity. Further, Defendants object to this interrogatory for the reason that it seeks information for which inquiry would be unduly burdensome.

Subject to and without waiving the objection, Defendants state that, while the Indiana Election Division obtained the U.S. Social Security Administration's Social Security Index for the purpose of conducting a program of removing ineligible voters, it has not done so in the time period identified in Instruction number 1 for Plaintiffs' First Set of Interrogatories.

**INTERROGATORY NO. 7:** Describe all efforts you have made to conduct a program to remove names from the voter registration lists based on the State Indiana's records on criminal convictions and incarcerations, identifying each State and County organization with which you communicate for this purpose.

**RESPONSE NO. 7:**

Defendants object to this interrogatory for the reason it seeks information protected from disclosure by the deliberative process privilege, the attorney/client privilege, and attorney work product doctrine. Defendants object to this interrogatory because it seeks information which



might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity. Further, Defendants object to this interrogatory for the reason that it seeks information for which inquiry would be unduly burdensome.

Subject to and without waiving the objection, Defendants state that the state designed the SVRS system to connect to the state's department of corrections database and notify counties daily when a registered voter is sentenced following conviction of a crime. See Standard Operating Procedures VRG 12.1 and 39.1.

In addition to daily notices from our Department of Correction, Indiana requires all county sheriffs to provide quarterly reports to the county voter registration office for all those individuals incarcerated in a local facility following conviction. IC 3-7-46-6 The IED provides guidance to the county voter registration officials on these quarterly reports. See 2012 Voter Registration Manual, page 25.

**INTERROGATORY NO. 8:** Identify all outside consultants, firms, contractors, agents, or other outside parties you have hired to assist with, advise on, or administer in any way, your election administration and voter registration list maintenance responsibilities under Section 8 of the NVRA.

**RESPONSE NO. 8:**

Quest Information Systems, 5975 Castle Creek Parkway N. Dr., Suite 200, Indianapolis, IN 46250.

Baker Tilly Virchow Krause, LLP, Baker Tilly Virchow Krause, LLP 205 N Michigan Avenue, Chicago, IL 60601-5927

**State Voter Registration and Election Administration Personnel and Communications**

**INTERROGATORY NO. 9:** Identify all persons in your office who are responsible for communicating directly with the County Voter Registration Officers for each purpose described in Interrogatories 1 through 8 above.

**RESPONSE NO. 9:**

The Indiana Election Division was created by statute according to IC 3-6-4.2 and is lead by two Co-Directors, nominated by the two major party state chairman and appointed by the Governor. Each Co-Director employs staff. The Indiana Election Division employs Quest Information Systems and Baker Tilly Virchow Krause for a variety of purposes, but occasionally to communicate directly with a county.

The following is a list of Indiana Election Division employees of the Democratic Party Co-Director who communicate with county voter registration officials as described in Interrogatory No. 9:

Trent Deckard, Co-Director, Indiana Election Division (2011-Present)  
Pamela Potesta, Co-Director, Indiana Election Division (2007-2010)  
Kristi Robertson, Co-Director, Indiana Election Division (2006-2007)  
Michelle Brzycki, Special Projects Coordinator, Indiana Election Division (2006-2008, 2011-Present)  
Leslie Barnes, Co-Counsel, Indiana Election Division (2007-Present)  
Cody Kendall, Co-Counsel, Indiana Election Division (2006-2007)

The following is a list of Indiana Election Division employees of the Republican Party Co-Director who communicate with county voter registration officials as described in Interrogatory No. 9:

J. Bradley King, Co-Director, Indiana Election Division  
Dale Simmons, Co-Counsel, Indiana Election Division  
Lori Clark, Special Projects Coordinator, Indiana Election Division

Address for all persons currently working for the Indiana Election Division is: 302 West Washington Street, #E204, Indianapolis, IN 46204. Addresses for former employees are unknown.

**INTERROGATORY NO. 10:** Identify the person or persons with whom you or your office communicates within the offices of each Indiana governmental organization, foreign State government, United States governmental office, or other entity for the purposes described in Interrogatories 3 through 8 above.

**RESPONSE NO. 10:**

Defendants object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity.

Subject to and without waiving the objection, Defendants list the following persons:

Contact for Department of Correction-Jeanne McFarland, Senior Programmer, IGCS 302 West Washington Street, E327, Indianapolis, IN 46204. Jmcfarland@idoc.in.gov 317-232-5400

might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity. Further, Defendants object to this interrogatory for the reason that it seeks information for which inquiry would be unduly burdensome.

The Indiana Election Division compiles the information requested by the U.S. Election Assistance Commission and, after review of the information, submits the information to the U.S. Election Assistance Commission. See Response to Plaintiff's First Request for Production of Documents No. 11.

**INTERROGATORY NO. 14:** Describe the purpose of providing conflicting opinions to County Voter Registration Officers at page 21 of the "2012 Indiana Voter Registration Guidebook" identified in Defendants' Initial Disclosures concerning removal or non-removal of registrations for single voters registered under two different addresses.

**RESPONSE NO. 14:**

Defendants object to this interrogatory for the reason it seeks information protected from disclosure by the deliberative process privilege, the attorney/client privilege, and attorney work product doctrine. Defendants object to this interrogatory because it seeks information which might disclose the mental impressions, conclusions, opinions, or legal theories of Defendants, Defendants' attorneys, or Defendants' representatives. Defendants also object to this interrogatory because it is vague, ambiguous, overly broad, and without reasonable particularity.

Subject to and without waiving the objection, Defendants state that the purpose was to indicate the Co-Directors have a difference of opinion on an issue. Given the Indiana Supreme Court's decision in *Sammons v. Conrad*, if the Co-Directors are unable to agree on an issue, then the Indiana Election Division cannot take official action. 740 N.E.2d 114 (Ind. 2000). Illustrating a difference of opinion when it exists permits the local election officials to make an informed decision.

**INTERROGATORY NO. 15:** Describe the purpose, in the sample jury questionnaire appended to the "2012 Indiana Voter Registration Guidebook" identified in Defendants' Initial Disclosures, of asking prospective jurors whether they wish to remain registered to vote in a county where they have affirmed they do not reside.

**RESPONSE NO. 15:**